

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RICARDO VERNAIR DODSON, : Case No. 2:18-cv-00908
: Plaintiff, : District Judge Sarah D. Morrison
vs. : : Magistrate Judge Sharon L. Ovington
: :
GARY C. MOHR, *et al.*, : :
Defendants. : :

DECISION AND ENTRY

Plaintiff Ricardo Vernair Dodson has submitted three Motions to Compel (Doc. #s 54, 58, 59), and a Motion for Leave to File his Sworn Declaration Pursuant to Fed. R. Civ. P. 37(a)(1). Permitting Plaintiff to file his Sworn Declaration works no prejudice upon Defendants. His Motion for Leave to File is therefore granted.

Defendants initially opposed Plaintiff's first Motion to Compel. (Doc. #56). Since then, however, Defendants have sent Plaintiff their responses to his Interrogatories and Requests for Production of Documents. *See* Doc. #64. As a result, Defendants correctly assert that Plaintiff's most recent (third) Motion to Compel is moot. In addition, because Plaintiff's first and second Motions to Compel seek the same relief as his third Motion to Compel (*i.e.*, an Order requiring Defendants to respond to his Interrogatories and Requests for Production of Documents), Defendants' recent discovery responses moot each Motion.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion for Leave to File his Sworn Declaration Pursuant to Fed. R. Civ. P. 37(a)(1) (Doc. #61) is GRANTED, and his Declaration should remain in the record; and

2. Plaintiffs' Motions to Compel (Doc. #s 54, 58, 59) are DENIED as moot.

July 6, 2020

s/Sharon L. Ovington

Sharon L. Ovington
United States Magistrate Judge